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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,617	04/16/2001	Hideaki Takahashi	102913.01	4419

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, VA 22320

EXAMINER

LEE, EDMUND H

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,617

Applicant(s)

TAKAHASHI ET AL.

Examiner

EDMUND H. LEE

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 18-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/291,214.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 04162001 6) ☐ Other: ____

DETAILED ACTION

1. Claims 18-20 are pending.
2. Claims 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "forms a groove forming a tear line of said substrate" (cl 19, lns 2-3) is indefinite because it is idiomatically incorrect.

The phrase "said substrate side tear line" (cl 20, ln 2) lacks antecedent basis in the claim.

The phrase "said direction" (cl 20, ln 3) is indefinite because it is unclear if it is referring to the flow direction. If it is the flow direction then it should be positively and clearly recited as such. Inserting of the word --flow-- before "direction" is suggested.

Correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (JP 9-300400) in view of Totani et al (USPN 6109645). Suzuki teaches the basic

claimed process including a method of molding a vehicle interior member having an air bag door portion (abstract; figs 1-9); setting a two-layer skin having a diagonal cut portion with a cutting direction inclined relative to a surface in a first mold (abstract; figs 1-9); assembling the first mold and a second mold (abstract; figs 1-9); injecting a hard resin into a cavity defined by the skin and the second mold to form a substrate of an interior member integral with the three-layer skin while controlling injection of the hard resin such that a flow direction of the hard resin is substantially opposite to the cutting direction of the diagonal cut portion (abstract; figs 1-9)--as a note, figs 5-6 of Suzuki illustrate the flow direction that is opposite the cutting direction of the cut portion; and cooling an integral molding of the skin and the substrate after injecting the hard resin (abstract; figs 1-9)--as a note, this cooling step is inherent with the process since it is needed to produce an article that can be handled. Suzuki, however, does not teach using a three-layer skin. Totani et al teach a method of molding a vehicle interior member having an air bag door portion (figs 1-21); using a skin that has three layers (figs 1-21); and injection molding a substrate against the three-layer skin (figs 1-21). Suzuki and Totani et al are combinable because they are analogous with respect to injection molding a vehicle interior member having an air door bag portion. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the three-layer skin of Totani et al for the two-layer skin of Suzuki in order to produce an air bag portion having a different physical appeal.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (JP 9-300400) in view of Totani et al (USPN 6109645) as applied to claim 18 and further

in view of Vavalidis (USPN 5772240). The above combined teachings of Suzuki and Totani et al are incorporated hereinafter. Suzuki does not teach a using a second mold having a projected portion that forma groove forming a tear line in the substrate that is set at a position spaced from an opening of the cut portion by a predetermined interval in the flow direction of the hard resin. Vavalidis teaches an air bag portion wherein a skin tear line is spaced from a substrate tear line (fig 3); and using offset splitlines in order to enhance the aesthetic appeal of the air bag door (col 1, lns 55-60). Suzuki and Totani et al are combinable because they are analogous with respect to air bag doors. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the offset splitlines of Vavalidis into the air bag door portion of Suzuki by providing mold half 42 of Suzuki with a projection to form a substrate tear line that is offset from the skin tear line thereby enhancing the aesthetic appeal of the air bag door.

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (JP 9-300400) in view of Totani et al (USPN 6109645) and Vavalidis (USPN 5772240) applied to claim 19 and further in view of Nakajima (USPN 5149479). The above combined teachings of Suzuki, Totani et al, and Vavalidis are incorporated hereinafter. The above combination of Suzuki, Totani et al, and Vavalidis also teach a substrate side tear line and a skin side tear line that extend in a direction substantially parallel to the direction of the hard resin. Suzuki, however, does not teach using a second mold having a stepped portion that is formed adjacent to the projected portion and forms a thin portion in the substrate wherein the stepped portion is set at a site facing an

opening portion of the diagonal cut portion and extends along the opening portion of the diagonal cut portion in a direction substantially parallel to the flow direction of the hard resin. Nakajima teaches a method of molding a vehicle interior member having an air bag door portion (figs 1-3); and forming a stepped portion that is set at a site facing an opening portion of the a cut portion and extends along the opening portion of the cut portion in a direction substantially parallel to the flow direction of the hard resin (figs 1-3). Suzuki and Nakajima are combinable because they are analogous with respect to air bag door members. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the stepped portion of Nakajima into the mold of Suzuki (modified) in order to facilitate opening of the air bag door.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yamasaki et al (USPN 5989479) teach a method of molding a vehicle interior member having an air bag door portion; and using a three-layer skin.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 703.305.4019. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 703.305.5493. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

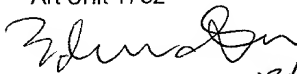
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.0661.

EDMUND H. LEE
Primary Examiner
Art Unit 1732



12/12/07

EHL